

Appl. No. 10 375,581
Amdt. dated February 11, 2005
Reply to Office action of February 1, 2005

REMARKS/ARGUMENTS

1. Election/Restrictions:

5 The application contains claims directed to the following patentably distinct species of the claimed invention:

- Species 1: a first embodiment, detailed by figures 5-9;
- Species 2: a second embodiment, detailed by figures 10;
- 10 Species 3: a third embodiment, detailed by figures 11;
- Species 4: a fourth embodiment, detailed by figures 12;
- Species 5: a fifth embodiment, detailed by figures 13;

15 Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1, 24 and 41 are generic.

20 Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

25 Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP 809.02(a).

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Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either
5 instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include
10 an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Response:

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Applicant elects species 1 and 2, which are characterized by figures 5-10, according to 37 CFR 1.143. Claims 1-4, 6 and 8-23 are readable upon the elected species 1 and 2. Fig. 10 is a schematic diagram of the first embodiment (Figs.5-9) in macroscopic cross section. The semi-insulating region 104, the mask 118 and the semi-insulating region
20 pattern 116 in Fig. 8 are individually the same with the semi-insulating region 204, the continuous second patterns 207 and the continuous first patterns 205 in Fig. 10. Obviously, embodiments 1 and 2 are readable in claims 1-4, 6 and 8-23. Claims 5 and 7 are not readable upon the elected species 1 and 2, and are thereby withdrawn. Consideration of claims 1-4, 6 and 8-23 are politely requested.

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2. Inventorship:

Applicant is reminded that upon the cancellation of claims to a non-elected invention,

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the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

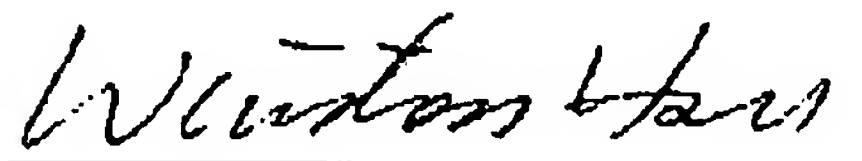
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Response:

Inventors of the elected invention are not changed.

10 Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Sincerely yours,



Date: February 25, 2005

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Note: Please leave a message in my voice mail if you need to talk to me. The time in D.C. is 13 hours behind the Taiwan time, i.e. 9 AM in D.C. = 10 PM in Taiwan).